

# EXHIBIT H

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

LA UNIÓN DEL PUEBLO ENTERO, et al., <i>Plaintiffs,</i> v.	5:21-cv-844-XR
GREGORY W. ABBOTT, et al., <i>Defendants.</i>	
OCA-GREATER HOUSTON, et al., <i>Plaintiffs,</i> v.	1:21-CV-0780-XR
JANE NELSON, et al., <i>Defendants.</i>	

**OCA PLAINTIFFS’ APPENDIX IN SUPPORT OF THEIR RESPONSE TO  
DEFENDANTS’ MOTIONS FOR SUMMARY JUDGMENT**

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Dated: June 23, 2023

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# Exhibit 1

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IN THE UNITED STATES DISTRICT COURT  
 FOR THE WESTERN DISTRICT OF TEXAS  
 SAN ANTONIO DIVISION

LA UNION DEL PUEBLO )  
 ENTERO, et al, )  
 )  
 Plaintiffs, )  
 ) CIVIL ACTION  
 VS. )  
 ) NO.: 5:21-cv-844-XR  
 GREGORY W. ABBOTT, et al, )  
 )  
 Defendants. )  
 )

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Kim Tindall and Associates, LLC 16414 San Pedro, Suite 900 San Antonio, Texas 78232  
 210-697-3400 ORAL AND VIDEOTAPED DEPOSITION OF 210-697-3408

GRACE CHIMENE  
 Designated Representative of League of Woman Voters of  
 Texas  
 APRIL 26, 2022

-----

ORAL AND VIDEOTAPED DEPOSITION OF GRACE CHIMENE,  
 produced as a witness at the instance of the DEFENDANTS,  
 and duly sworn, was taken in the above-styled and  
 numbered cause on April 26, 2022, from 10:14 a.m. to  
 5:13 p.m. before Miah Parson, CSR in and for the State  
 of Texas, reported by oral stenography, at the  
 Disability Rights Texas offices, 2222 W. Braker Lane,  
 Austin, Texas 78758, pursuant to the Federal Rules of  
 Civil Procedure and the provisions stated on the record  
 or attached hereto.

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13 ALSO PRESENT:

14 Lauren Morris-Videographer

15 Savannah Kumar  
16 Sarah Chen  
Ashley Harris

17 VIA ZOOM:

18 Bradley Prowant  
Kelsey Pormasdoro-DOJ  
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P R O C E E D I N G S

THE VIDEOGRAPHER: The time is now 10:14 a.m. and we are on the record. Today is Tuesday April 26th, 2022. My name is Lauren Morris. I am the videographer today for Magna Legal in the deposition of Grace Chimene in the consolidated cases of La Union Del Pueblo Entero, Plaintiffs versus Gregory Abott, Defendants. Case No. 521CV844XR. Will the attorneys please state who they are, who they represent and the Court reporter will read the witness into the record.

Kim Tindall and Associates, LLC 16414 San Pedro, Suite 900 San Antonio, Texas 78232  
210-697-3400 210-697-3408

MR. THOMPSON: For the State Defendants, Will Thompson from the Office of the Attorney Genera.

MR. CLANCY: And for the OCA-Greater Houston Plaintiffs including the League of Women Voters of Texas, Thomas Buser-Clancy, Ashley Harris, Savannah Kumar, and Sarah Chen.

GRACE CHIMENE,  
having been first duly sworn, testified as follows:

EXAMINATION

BY MR. THOMPSON:

MR. THOMPSON: Thank you, very much.

Q. (BY MR. THOMPSON) Good morning. As you just heard, my name is Will Thompson. I represent the State Defendants in this case. Will you please state -- spell your name for the record?

1 also have this other type of League in Texas it serves a  
2 local community called a League at large and they are  
3 normally smaller leagues or newer leagues and they need  
4 more assistance and they're considered units, right of  
5 the Texas League. So one of them has their own by laws  
6 and policies and procedures the other one is -- is a  
7 part of the Texas League. Okay. Right.

8 Q. And does the National League have its own  
9 bylaws and organizational documents?

10 Kim Tindall and Associates, LLC 16414 San Pedro, Suite 900 San Antonio, Texas 78232  
210-697-3400 A. It has its own bylaws. The Texas League has  
11 its own bylaws and then local leagues that are  
12 independent have their own bylaws.

13 Q. Okay. When I ask you about the League today  
14 I'm gonna be asking about the Women Voters of Texas --

15 A. Okay.

16 Q. -- and anything that's a part of the League of  
17 Women Voters of Texas, including those, I think you  
18 called them consolidated local leagues?

19 A. Leagues at Large.

20 Q. The Leagues at Large.

21 A. Yes.

22 Q. They're --

23 A. Yes, but the people who are members of a local  
24 League that has their own bylaws and has their own  
25 policies and procedures they are under the Texas League

1 so they have -- they follow our -- they -- they follow  
2 what we say for anything to do with state level  
3 information or state level advocacy. So they take care  
4 of the needs of the local level. We take care of the  
5 needs of the Voters at the state level. So we're all  
6 one organization. They belong to all the same  
7 organization, but they joined the local level.

8 Q. So I think you said that the state League can  
9 set certain rules that govern the conduct of local

10 Kim Tindall and Associates, LLC, 16414 San Pedro, Suite 900 San Antonio, Texas 78232  
210-697-3400 leagues, is that right? 210-697-3408

11 A. Yeah. But not -- not every conduct. Some  
12 things are -- are open for the local leagues that have  
13 their own policies specific to what they're doing at the  
14 local level.

15 Q. And some activities are undertaken by local  
16 leagues -- separate from the state League, right?

17 A. At the local level.

18 Q. Is that a yes?

19 A. It was. No, it wasn't a yes. It was at the  
20 local level local leagues can take action like if they  
21 want to -- when they're doing the voters guide, they're  
22 doing the voters guide for local elections, right?

23 Q. Sure, I'm not --

24 A. When they're going --

25 Q. -- trying --

1 voters overall. LWVTX would not have to conduct this  
2 type of public education in the absence of SB1. Do you  
3 see all that?

4 A. Yes, that was a very long paragraph.

5 Q. It was indeed?

6 A. Yes.

7 Q. Okay. So toward the top of that paragraph the  
8 complaint alleges that SB1 would frustrate LWVTX's  
9 mission of empowering voters and defending democracy by  
10 ~~Kim Tindall and Associates, LLC 16414 San Pedro, Suite 900 San Antonio, Texas 78232~~  
~~210-697-3400~~ ~~expanding voter registration and increasing voter turn~~ ~~210-697-3408~~  
11 out. How does SB1 frustrate LWVTX's mission?

12 A. So our mission of empowering voters and  
13 defending democracy we take -- we take to heart and I  
14 can barely say the mission without going woo hoo every  
15 time because it's so important to us. The -- so during  
16 empowering voters. So during most elections we're  
17 working really hard and especially working on trying to  
18 get more people registered to vote in voting Texas  
19 elections and -- and we have in the past been  
20 concentrating much of our efforts on young voters like  
21 we have a high school voter registration program,  
22 college age voters also because we know if you could get  
23 a voter to -- a young voter to participate in one  
24 election then they're more likely to participate in more  
25 elections. And we do that through our high school voter

1 registration and education, first vote education project  
2 and the campus vote project that we work on a lot. The  
3 other area we work with are people who are less likely  
4 to vote and so those would be people who are not  
5 consistent voters, voters in low income areas, we work  
6 with voters who are served by food banks, voters who are  
7 new voters, we have a whole naturalization ceremony and  
8 we have voters who -- who are new to Texas. And so  
9 those -- those are some of the areas -- some of the  
10 areas we work on when we try to empower voters in Texas  
11 in trying to get out the vote. The -- and instead of  
12 being able to do that, since -- SB1 we spent a great  
13 deal of our time instead educating voters who are  
14 normally consistent voters who have been voted -- voting  
15 for a very, very, very long time in many cases who are  
16 voting by mail, who are 65 years and over or are a voter  
17 with a disability. And so we've been spending much of  
18 our time instead of working with those inconsistent  
19 voters, but working with normally consistent voters  
20 who's been voting for a very long time who are now need  
21 a lot of voter education in order to get -- even get  
22 through the application or the ballot by mail process.  
23 So we -- we turned all of our energy -- I'm sorry, I'm  
24 making hand motion we turned our energy from what we had  
25 previously been concentrating on to these 65 and over

1 voters and voters with disabilities on educating them  
2 about the new SB1 law, especially regarding voter ID.

3 Q. So I understand, Ms. Chimene, that you brought  
4 in some specific examples of what the League does and  
5 how it respond to SB1. I want to see if I can kind of  
6 put those examples into categories and make sure I  
7 understand each of the applicable categories that they  
8 exist. So what I think you were just testifying about  
9 was -- that in response to SB1, the League has shifted

10 Kim Tindall and Associates, LLC 16414 San Pedro, Suite 900 San Antonio, Texas 78232  
210-697-3400 210-697-3408

11 some of its focus from activities it used to do to other  
12 activities in response to SB1, is that accurate?

12 A. Yes.

13 Q. Is there any way -- I'm sorry, let me try that  
14 again. Is that what the League is referring to when it  
15 says that SB1 frustrates the League's mission?

16 A. It's one of the aspects of what we mean when we  
17 say it frustrates the League's mission. It's -- is it  
18 okay if I keep going? So for us our mission is really  
19 important to our members and -- and supporters. And  
20 that is empowering voters and defending democracy. And  
21 frustrating our mission by making it so that these  
22 consistent older voters who are 65 and over and Texas  
23 and who are voters with a disability can't get through  
24 the process either of applying to vote by mail or the  
25 ones that had their ballots rejected in this last

1 MR. CLANCY: Objection to form. To the  
2 extent it calls for a legal conclusion.

3 A. Let me think then. Trying to think all the  
4 ways. I'm -- I think so say -- I think you're still  
5 missing out on the part -- our mission that we take very  
6 seriously, sorry of -- of ensuring that voters can  
7 participate in our elections and as many ways as we can  
8 we tried to help voters participate in elections and I  
9 think that one of the things you're missing is that  
10 Kim Tindall and Associates, LLC 16414 San Pedro, Suite 900 San Antonio, Texas 78232  
210-697-3400 these voters were unable to get through either the  
11 application process or the vote by mail ballot process  
12 and will continue in the future to be unable to get  
13 through that process and some of them may drop out of  
14 voting entirely and it is that -- it doesn't -- so that  
15 is really important to us in our mission. And so I just  
16 want to make sure that that is in there. It's not just  
17 about resources and it's not just about our -- turning  
18 our attention, but it's also that we truly want people  
19 to vote in every election. And these people have lost  
20 their right to vote and I'm very concerned that in the  
21 future they will not be able to participate in our  
22 democracy.

23 Q. Thank you for that clarification, Ms. Chimene.  
24 I meant to include that so I'm gonna try it again where  
25 I maybe more expressing to that --

1 the League's mission?

2 MR. CLANCY: Objection to form.

3 A. So we have resources, we have voters, we have  
4 our time, and efforts. So I could say yes for now. I'm  
5 sorry, I -- I -- I know that I'll go home and remember  
6 all these other reasons. So I apologize and I know  
7 you're going to try to go over and over and over again,  
8 but maybe after the next break I can come back to you  
9 and tell you some more, but at this particular moment I  
10 think that is a lot of resources and a lot of  
11 frustration that we have so thank you.

12 Q. (BY MR. THOMPSON) Sitting here today you can't  
13 tell me about any other ways that the vote by mail  
14 provisions and SB1 frustrates the League's mission, can  
15 you.

16 A. Tell me, again. Read it out loud. Let me try  
17 to categorize it.

18 Q. Sure. Maybe -- maybe it would help if I  
19 numbered them.

20 A. Well, if it was written down I'd probably able  
21 to look at it and think more, but go -- yes, say No. 1  
22 that might help.

23 Q. Okay. No. 1, the League contends that the vote  
24 by mail provisions and SB1 will prevent some voters from  
25 participating in elections, right?



1 A. Yes, so that's voters, yes.

2 Q. No. 2, the League tries to address that problem  
3 by shifting its resources from other activities to  
4 educating voters about SB1, right?

5 A. Right. Yes.

6 Q. No. 3, despite the League's efforts the vote by  
7 mail provisions and SB1 will according to the League  
8 still prevent some voters from participating in  
9 elections, right?

10 Kim Tindall and Associates, LLC 16414 San Pedro, Suite 900 San Antonio, Texas 78232  
210-697-3400 Yes. 210-697-3408

11 Q. Now, I think those are the three broad  
12 categories of ways that you have testified the vote by  
13 mail provisions and SB1 can frustrate the League's  
14 mission.

15 A. Did one of those include financial resources,  
16 not just volunteer time, but also financial resources?  
17 Is that included under the resource section?

18 Q. Yes, as far as I'm concerned the resources  
19 addressed in No. 2 can be any type of resource you want.

20 A. Okay. All right that sounds good.

21 Q. Is that -- are those the only three broad  
22 categories you can testify about sitting here today.

23 A. Sitting here today, yes. Thank you.

24 Q. You can't identify right now any other way in  
25 which the vote by mail provisions of SB1 frustrates the

1 elections, right?

2 A. Yes.

3 Q. And sitting here today, that is the best  
4 complete summary you could give of the ways that the  
5 oath and the prohibition on compensation frustrate the  
6 League's mission?

7 A. Yes.

8 Q. The last aspect of SB1 that you mentioned, I  
9 believe was the vote harvesting provision, do you recall  
10 that?  
Kim Tindall and Associates, LLC 16414 San Pedro, Suite 900 San Antonio, Texas 78232  
210-697-3400 210-697-3408

11 A. Yes.

12 Q. Can you tell me what the vote harvesting  
13 provision of SB1 does?

14 A. So I'm not a lawyer, my understanding is that  
15 there is a confusion -- confusing section of SB1 that  
16 makes it so that you cannot speak to a voter about  
17 what's on the ballot if the voter has a ballot with them  
18 and you are supporting a provision or you're maybe  
19 talking about or supporting a provision and/or talking  
20 about or supporting a candidate. That's my  
21 understanding, I think it's confusing.

22 Q. Okay. So I want to go through, I'm sorry, did  
23 you say something else?

24 A. And, I'm sorry, be -- and also I think one if  
25 the -- not only is that something called vote

1 harvesting, but it also involves like a jail sentence.  
2 So that is my understanding, I'm not a lawyer.

3 Q. I want to go to through the same frustration  
4 mission questions that we did with the other aspects of  
5 SB1, I'm just gonna do it now for the vote harvesting  
6 provision.

7 A. Uh-huh.

8 Q. With regard to the vote harvesting provision in  
9 SB1, the League contends that those provisions will  
10 prevent some voters from participating in elections.  
11 right?

12 MR. CLANCY: Objection; misstates  
13 testimony.

14 A. Yes.

15 Q. (BY MR. THOMPSON) Second, the League tries to  
16 address that problem by shifting resources from other  
17 activities to educating voters about the vote harvesting  
18 provisions in SB1, right?

19 A. No.

20 Q. The League does not attempt to educate voters  
21 about SB1's vote harvesting provision?

22 A. No.

23 MR. CLANCY: Objection; misstates  
24 testimony.

25 Q. (BY MR. THOMPSON) Does the League attempt to

1 educate anyone --

2 A. Yes.

3 Q. -- about the vote harvesting provisions of SB1?

4 A. There you go. The impact of this part of the  
5 bill is less about educating voters and more about  
6 educating League members partner organizations about the  
7 impact of this bill for them personally if they were to  
8 have, say, a candidate form or if they were to be  
9 talking to a voter who may have their ballot with them.

10 Kim Tindall and Associates, LLC 16414 San Pedro, Suite 900 San Antonio, Texas 78232  
210-697-3400 And our concern, you know, is for the safety of those 210-697-3408

11 members who may -- because of this bill and the way it  
12 is written now, be at risk of -- of criminal penalty of  
13 some type. And so the education wouldn't be educating  
14 voters about this, the education would be to educate  
15 people who assist voters or people who have candidate  
16 forms or people who do -- who may talk to a voter at a  
17 voter registration booth and they may have their --  
18 their ballot with them or people who go to a nursing  
19 home and talk to voters who may have a ballot with them  
20 and that is my understanding. So it's not about  
21 educating the voters it is about educating our members  
22 and -- and other members of the community and that  
23 situation 'cause we don't want people in our normal  
24 activity of empowering voters and encouraging voting and  
25 getting people to participate in elections for them to

1 have this confusing law that seems to indicate that they  
2 may go to jail if they -- they do something like that.

3 Q. The vote harvesting provision in SB1 regulates  
4 people who provide vote harvesting services, right?

5 MR. CLANCY: Objection to the extent it  
6 calls for legal conclusion.

7 Q. (BY MR. THOMPSON) A verbal answer will be  
8 helpful.

9 A. I -- I am not a lawyer. So my understanding of  
10 Kim Tindall and Associates, LLC 16414 San Pedro, Suite 900, San Antonio, Texas 78232  
210-697-3400 -- is -- is what I previously said. Sorry. 210-697-3408

11 Q. And I don't object to the way you said it  
12 except that it was about 400 words --

13 A. Yeah.

14 Q. -- I was looking for a phrase we could use --

15 A. Yeah.

16 Q. -- to capture the universe's -- subject to the  
17 vote harvesting provision.

18 A. Okay. Say it again.

19 Q. What term would you use to describe the people  
20 who are regulated by the vote harvesting provision of  
21 SB1?

22 MR. CLANCY: Objection to the extent it  
23 calls for a legal conclusion.

24 A. My con -- my concern is that it is very  
25 confusing and I do not know how to keep my members and

1 the people in our organizations and all the other  
2 organizations we work with out of jail because it is a  
3 confusing part of the bill, I'm sorry.

4 MR. THOMPSON: Objection; nonresponsive.  
5 But that's quite all right.

6 Q. (BY MR. THOMPSON) If I use the phrase, people  
7 regulated by the vote harvesting provisions of SB1, will  
8 you know what I mean?

9 A. No, not really.

10 Kim Tindall and Associates, LLC 16414 San Pedro, Suite 900 San Antonio, Texas 78232  
210-697-3400 I'm trying to get you to agree or disagree 210-697-3408  
11 about who is subject to the law --

12 A. Yeah.

13 Q. -- I understand you're not a lawyer it may not  
14 be obvious to you who is regulated by those provisions?

15 A. Yes, it is not obvious to me who is regulated  
16 by those provisions.

17 Q. Is it fair to say that the League is trying to  
18 provide education about those provisions to people who  
19 are potentially subject to those provisions?

20 A. Yes, thank you.

21 Q. So if I refer to people who are potentially  
22 subject to the vote harvesting provisions of SB1, will  
23 you know what I mean?

24 A. Yes.

25 Q. Okay. Well, let's use that phrase.

1 A. Okay.

2 Q. We'll start back at the beginning with point  
3 one.

4 A. Okay.

5 Q. For ways that the League contends the vote  
6 harvesting provisions of SB1 frustrates its mission. So  
7 first, the League contends that SB1 prevents, excuse me.  
8 The League contends that the vote harvesting provisions  
9 of SB1 prevents from some voters from participating in  
10 the elections, right?

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210-697-3400 210-697-3408

11 MR. CLANCY: Objection to the extent it  
12 misstates the testimony.

13 A. Yes.

14 Q. (BY MR. THOMPSON) Second, the League tries to  
15 address that problem by shifting resources from other  
16 activities to educating people potentially subject to  
17 the vote harvesting provisions of SB1 about the vote  
18 harvesting provisions of SB1, correct?

19 A. Correct.

20 Q. Third, the League contends that despite its  
21 efforts the vote harvesting provisions of SB1 will still  
22 stop some voters from participating in elections, right?

23 MR. CLANCY: Objection to the extent it  
24 misstates the testimony.

25 THE REPORTER: I'm sorry, can you repeat

1 that?

2 MR. CLANCY: Objection to the extent it  
3 misstates the testimony.

4 A. Say it again, please.

5 Q. (BY MR. THOMPSON) Third, the League contends  
6 that despite its efforts, the vote harvesting provisions  
7 of SB1 will still stop some voters from participating in  
8 elections, correct?

9 A. Correct.

10 Kim Tindall and Associates, LLC 16414 San Pedro, Suite 900 San Antonio, Texas 78232  
210-697-3400 Q. And sitting here today those are the only three  
11 ways that you can testify about that the League contends  
12 the vote harvesting provisions of SB1 frustrates its  
13 mission, correct?

14 A. No. I would add a fourth and that is because  
15 this impacts our members and other partner type  
16 organizations that we work with because it will keep  
17 them from being able to do some important work that we  
18 do where a person a voter may have their ballot with  
19 them and those type of things that we do will keep us  
20 from doing that. Such as can it make -- it -- it  
21 impacts candidate forms, it impacts our work at voter  
22 registration tables and it impacts anytime we go -- we  
23 would go door to door or talk to the community where  
24 they may have a ballot with them. It impacts our  
25 ability to -- if we have, say, if we support a



1 constitutional amendment that it impacts our ability to  
2 provide that information out to voters in case they have  
3 their ballot with them. I don't want our members and  
4 other organizations we work with to go to jail because  
5 of this confusing and I consider dangerous legislation  
6 that makes it so they may have a criminal penalty.

7 Q. Does the League of women voters of Texas  
8 undertake any activities with the intent to deliver  
9 votes for a specific candidate or measure?

10 Kim Tindall and Associates, LLC 16414 San Pedro, Suite 900 San Antonio, Texas 78232  
210-697-3400 We never take activities with intent to support 210-697-3408

11 our pose political candidates. Occasionally we do  
12 support a provision. It is something different than the  
13 voters guide where we explain what the provision is in  
14 plain language because of you lawyers and then, sorry,  
15 that was an aside, and then we also sometimes do pros  
16 and cons. Sometimes those pros and cons people have  
17 call-- called me and say you're supporting that  
18 constitutional amendment. I say no, there's pros and  
19 cons, but this looks like the cons are more or the pros  
20 are more and so you're supporting it. That is just the  
21 voter's guide. Occasionally we support or oppose a  
22 constitutional amendment or a local League may support  
23 or oppose some kind of bond or a proposition locally.  
24 There is a concern to that if they do that somebody  
25 comes to a forum to learn about it and they have their

1 ballot with them because it would be provided those type  
2 of educational opportunities would be provided, you  
3 know, during the early voting time and then they may be  
4 penalized or it's -- criminal offense, whatever is in  
5 SB1, that is my concern. So no on candidates, yes,  
6 occasionally on propositions and ballot measures and  
7 constitutional amendments.

8 Q. When was the last time that the League of women  
9 Voters of Texas supported or opposed a constitutional  
10 amendment in the way that you're describing?  
Kim Tindall and Associates, LLC 16414 San Pedro, Suite 900, San Antonio, Texas 78232  
210-697-3400 210-697-3408

11 A. Oh, we considered -- so I have been in the  
12 League, on the board since 2014 and -- and so 2000 at  
13 some point there was one on providing rainy day funds I  
14 think to pay for transportation infrastructure and we  
15 considered supporting it, but we didn't at that time.  
16 Before that I don't know when we -- we do that, but in  
17 our policies and procedures it says that we can and so  
18 we have considered that before and I -- I think it would  
19 -- if this continues, we would consider removing that  
20 ability to provide opposition or support for a  
21 constitutional amendment or propositioned if there is a  
22 criminal penalty assoc -- if this continues. So we'll  
23 have to relook at our policies and procedures.

24 Q. What year was it that the League considered  
25 supporting a measure to amend the Constitution relating

1 A. Yes, thank you.

2 Q. Third, despite the League's efforts the League  
3 contends that the vote harvesting provision of SB1 will  
4 still stop some voters from participating in elections,  
5 correct?

6 MR. CLANCY: Objection to the extent it  
7 misstates thee testimony.

8 A. Say -- say it one more time. Lord.

9 Q. (BY MR. THOMPSON) Third, the League contends  
10 that despite its efforts the vote harvesting provisions  
11 of SB1 will still stop some voters from participating in  
12 elections, correct?

13 A. Yes.

14 Q. Fourth, the League contends that the vote  
15 harvesting provisions of SB1 could stop it from  
16 undertaking certain activities if it decided to support  
17 our oppose a constitutional amendment or other ballot  
18 measure, correct?

19 MR. CLANCY: Objection; form and misstates  
20 the testimony.

21 A. Almost. I would think and my concern would be  
22 whether this section would -- would not only do that  
23 which keep us from supporting or opposing constitutional  
24 amendments as a state League or as a local League  
25 supporting or opposing propositions or bond measures,

1 but also I think it may limit our -- or restrict the way  
2 we currently hold candidate forms and do in-person  
3 contact with voters who may have a ballot because of the  
4 vagueness of the bill, my concern is that members and  
5 volunteers may feel like they're going to get into  
6 trouble and the criminal -- and be accused of vote  
7 harvesting when actually they're just guiding people  
8 through the vote process and they happen to have a  
9 ballot with them. So I just wanted to be clear there

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11 Q. Yeah, I'd like to understand the addendum. Are  
12 you aware that the vote harvesting provision of SB1  
13 applies only to actions intended to deliver votes for a  
14 specific candidate or measure?

15 MR. CLANCY: Objection; form.

16 A. Yes.

17 Q. (BY MR. THOMPSON) When the League hosts a Lake  
18 candidate forum, for example, is it intending to deliver  
19 voted for a specific candidate or measure?

20 A. It is not intending to, but what the perception  
21 is occasionally is that people may think we are  
22 supporting one candidate over another per se because  
23 certain candidates don't show up at the candidate forum  
24 and so the perception may be there and because of the  
25 vagueness of the law I am very concerned about our

1 members getting accused of something about -- regarding  
2 vote harvesting.

3 Q. Right. I want to -- I want to make sure I  
4 understand the concern --

5 A. Okay.

6 Q. It sounds like the concern is that the League  
7 and its members could be falsely accused of violating  
8 the vote harvesting provision, correct?

9 MR. CLANCY: Objection to the extent it  
10 misstates the testimony or calls for a legal conclusion.  
Kim Tindall and Associates, LLC 16414 San Pedro, Suite 900 San Antonio, Texas 78232  
210-697-3400 210-697-3408

11 A. I'm not a lawyer. I don't understand it  
12 completely. I -- I am concerned about the impact of our  
13 work, educating voters may be construed as some people  
14 say sometimes that we are trying to promote one  
15 candidate over another.

16 Q. (BY MR. THOMPSON) Let me try to reword again.

17 A. Okay.

18 Q. Is it a concern you're describing a concern  
19 that the League and it's members would be accused of  
20 violating the vote harvesting provisions of SB1, even  
21 though they do not intend to deliver votes for a  
22 specific candidate or measure?

23 MR. CLANCY: Objection; form.

24 A. Can you just say it again.

25 Q. (BY MR. THOMPSON) Sure. Is the concern that

1 you're describing a concern that the League and its  
2 members would be accused of violating the vote  
3 harvesting provisions of SB1, even though they do not  
4 intend to deliver votes for a specific candidate or  
5 measure?

6 A. Yes.

7 Q. Okay. So will it be okay if I treat that as a  
8 fifth way in which the vote harvesting provisions --

9 A. Sure. Thank you.

10 Kim Tindall and Associates, LLC 16414 San Pedro, Suite 900 San Antonio, Texas 78232  
210-697-3400 Q. Then our favorite time, we'll just go back 210-697-3408

11 through 1 through 5 again and hopefully this time I'll  
12 get them correct. Okay. We're talking about the 5 ways  
13 you've testified that the League contends the vote  
14 harvesting provisions of SB1 frustrates its mission.  
15 First, the League contends that the vote harvesting  
16 provisions of SB1 prevent some voters from participating  
17 in elections, right?

18 A. Right.

19 Q. Second, the League tries to address that  
20 problem by shifting resources from other activities to  
21 educating people potentially subject to the vote  
22 harvesting provisions about the vote harvesting  
23 provisions, correct?

24 A. Yes.

25 Q. Third, despite the League's efforts, the League

1 contends the vote harvesting provisions will still stop  
2 some voters from participating in elections, correct?

3 A. I thought that's the same as No. 1.

4 Q. There may be overlap there.

5 A. Okay.

6 Q. And I'm fine with you saying that they're the  
7 same if they're the same to you.

8 A. Okay.

9 Q. But the third way is accurate?

10 Kim Tindall and Associates, LLC 16414 San Pedro, Suite 900 San Antonio, Texas 78232  
210-697-3400 A. It is accurate. It sounds like No. 1 to me. 210-697-3408

11 Q. Fourth, the League contends that the vote  
12 harvesting provisions of SB1 could prevent it from  
13 supporting or opposing a constitutional amendment or  
14 other ballot measure if in the future it decides to  
15 support or oppose a constitutional amendment or other  
16 ballot measure?

17 A. Okay.

18 Q. Is that correct?

19 A. Yes.

20 Q. And fifth, the League is concerned that it  
21 could be accused of violating the vote harvesting  
22 provisions of SB1 or that its members could be accused  
23 of violating the vote harvesting provisions of SB1 even  
24 though neither the League nor the members intend to  
25 deliver votes for a specific candidate or measure,

1 correct?

2 A. Correct.

3 Q. And sitting here today, those are the only five  
4 ways that you can contend that the vote harvesting  
5 provisions of SB1 frustrates the League's mission,  
6 correct?

7 A. Yes.

8 Q. Thanks. I'm sorry, that was very tedious  
9 process?

10 Kim Tindall and Associates, LLC 16414 San Pedro, Suite 900 San Antonio, Texas 78232  
210-697-3400 That's okay. 210-697-3408

11 MR. CLANCY: We've been going about an  
12 hour, Grace, I don't know, do you want to keep going for  
13 a little bit, do you want to take a short break.

14 A. No, I need a break. My brain is -- keeps  
15 getting tired.

16 MR. THOMPSON: Let's go off the record.

17 THE VIDEOGRAPHER: Going off the record.  
18 The time is 2:45 p.m.

19 (Recess.)

20 THE VIDEOGRAPHER: We are back on the  
21 record the time is 2:52 p.m.

22 Q. (BY MR. THOMPSON) Ms. Chimene, welcome back.  
23 I believe you still have Exhibit 5, the second amended  
24 complaint in front of you.

25 A. Yes.



1 Q. If you flip to Page 9 and 10 and look at slides  
2 18 to 19.

3 A. Okay.

4 Q. There the League is providing tips about  
5 assistance for voters in polling place, right?

6 A. Right.

7 Q. So having gone through a few of these slides, I  
8 guess what I want to know is, is this exhibit a  
9 representative example of the types of tips and

10 education that the League provides?  
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11 MR. CLANCY: Objection; form.

12 A. This is not -- this is way more specific than  
13 we normally get. Because SB1 is so complicated and was  
14 so massive and the changes are overwhelming for many  
15 voters this is a lot more than we normally do. We  
16 normally have more perky happy slides about registering  
17 to vote or voting early, you know, and this one is like  
18 really more detailed, detailed oriented and that is what  
19 SB1 has done. Also this is very early on so over time  
20 our education has changed and this is not for voters it  
21 is for organizations that work with the voters. So I  
22 wouldn't teach voters all of this necessarily. I would  
23 try to make it more simple, but it's -- I like it. I --  
24 I created it. I'm not a lawyer.

25 Q. Sure. And I'm surely not trained --

1 CHANGES AND SIGNATURE.

2 WITNESS NAME: GRACE CHIMENE DATE: APRIL 26, 2022

3 PAGE LINE CHANGE REASON

4 \_\_\_\_\_

5 \_\_\_\_\_

6 \_\_\_\_\_

7 \_\_\_\_\_

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9 \_\_\_\_\_

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23 \_\_\_\_\_

24 \_\_\_\_\_

25 \_\_\_\_\_

1 I, GRACE CHIMENE, have read the foregoing  
2 deposition and hereby affix my signature that same is  
3 true and correct, except as noted above.

4  
5 \_\_\_\_\_  
6 GRACE CHIMENE  
7  
8

9 THE STATE OF \_\_\_\_\_)

10 Kim Tindall and Associates, LLC 16414 San Pedro, Suite 900 San Antonio, Texas 78232  
210-697-3400 210-697-3408

11  
12 Before me, \_\_\_\_\_, on  
13 this day personally appeared GRACE CHIMENE, known to me  
14 (or proved to me under oath or through  
15 \_\_\_\_\_) (description of identity  
16 card or other document)) to be the person whose name is  
17 subscribed to the foregoing instrument and acknowledged  
18 to me that they executed the same for the purposes and  
19 consideration therein expressed.

20 Given under my hand and seal of office this  
21 \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

22  
23  
24 \_\_\_\_\_  
25 NOTARY PUBLIC IN AND FOR  
THE STATE OF \_\_\_\_\_  
COMMISSION EXPIRES: \_\_\_\_\_

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

LA UNION DEL PUEBLO )  
ENTERO, et al, )  
 )  
Plaintiffs, )  
 ) CIVIL ACTION  
VS. )  
 ) NO.: 5:21-cv-844-XR  
 )  
GREGORY W. ABBOTT, et al, )  
 )  
Defendants. )  
 )

Kim Tindall and Associates, LLC 16414 San Pedro, Suite 900 San Antonio, Texas 78232  
210-697-3400

REPORTER'S CERTIFICATION

210-697-3408

ORAL AND VIDEOTAPED DEPOSITION OF GRACE CHIMENE

APRIL 26, 2022

I, Miah Parson, CSR, Certified Shorthand Reporter  
in and for the State of Texas, hereby certify to the  
following:

That the witness, GRACE CHIMENE, was duly sworn by  
the officer and that the transcript of the oral  
deposition is a true record of the testimony given by  
the witness;

I further certify that pursuant to FRCP Rule  
30(f)(1) that the signature of the deponent:

X  was requested by the deponent or a party before the  
completion of the deposition and that the signature is  
to be before any notary public and returned within 30

1 days from the date of receipt of the transcript. If  
2 returned, the attached Changes and Signature Page  
3 contains any changes and the reasons therefor;

4       \_\_\_ was not requested by the deponent or a party  
5 before the completion of the deposition.

6       I further certify that I am neither counsel for,  
7 related to, nor employed by any of the parties or  
8 attorneys in this action in which this proceeding was  
9 taken, and further that I am ~~not~~ financially or

10 Kim Tindall and Associates, LLC 16414 San Pedro, Suite 900 San Antonio, Texas 78232  
210-697-3400 otherwise interested in the outcome of the action, 210-697-3408

11       Certified to by me this 17th day of May, 2022.

12  
13  
14       \_\_\_\_\_  
15 Miah Parson, CSR No. 11773  
16 Expiration Date: 02/28/2023  
17 Firm Registration No. 633  
18 Magna Legal Services  
19 16414 San Pedro, Suite 900  
20 San Antonio, Texas 78232  
21 Phone 210-697-3400  
22 Fax 210-697-3408  
23  
24  
25

# Exhibit 2

**SUPPLEMENTAL DECLARATION OF JOYCE LEBOMBARD**

My name is Joyce LeBombard. I am over the age of 18 and capable of making this declaration. The facts stated herein are within my personal knowledge:

1. I am the President of the League of Women Voters of Texas (“LWVTX” or the “League”). I have served in this role since June 2022. My current term will end in June of 2024. This is an unpaid, volunteer position to which I devote an average of 40 hours a week. I have been a member of the League since February 2017. I served the Austin Area League as VP of Voters Service, and then as President and Interim Communications & Technology Director. I am retired from a management career in IT, primarily in the financial services industry.
2. LWVTX is a volunteer-based organization. Many of our members participate in LWVTX’s election-related programs, such as registering people to vote, participating in get out the vote (“GOTV”) events, canvassing or “doorknocking,” assisting individual voters, and hosting nonpartisan issue or candidate forums. Many of these events are held in person.
3. LWVTX members regularly interact with voters and answer their questions when they are registering them to vote, canvassing at resident addresses, or hosting GOTV events.
4. Additionally, local leagues regularly host non-partisan candidate forums before elections, where they will invite candidates in local elections to speak to LWVTX members and other voters about issues in the election. Many of these forums are held in person.
5. Additionally, local leagues, whose members are also members of LWVTX, periodically endorse non-partisan ballot measures. Additionally, LWVTX has the ability to endorse non-partisan ballot measures. These endorsements are separate from the LWVTX’s non-

partisan voter guide. For instance, when I was the Austin Area League (LWV-AA) president in 2018, LWV-AA supported certain electoral Austin bond measures and encouraged members and other voters to vote in favor of the ballot measures, *see* Attachment A.

6. LWVTX is concerned that its staff, members, or volunteers could be prosecuted for allegedly violating SB 1 due to their voter interactive activities if they are providing information to voters in person who happen to have their mail-in ballots with them, if those staff, members, or volunteers are paid or otherwise accused of being compensated or provided with a benefit. LWVTX is also concerned that its staff or members could be prosecuted in similar circumstances for allegedly providing payment, compensation, or a benefit. The vague language in SB 1 about these restrictions makes it difficult for LWVTX to know what types of actions are prohibited.

This Declaration is made pursuant to 28 U.S.C. § 1745. I declare under penalty of perjury that the foregoing is true and correct.

06/22/23

Executed on \_\_\_\_\_



---

Joyce LeBombard  
President LWVTX





---

## **League of Women Voters Austin Area (LWV-AA) Supports City of Austin Bonds Package**

The Board of Directors of the League of Women Voters Austin Area (LWV-AA) endorses all seven bond initiatives on the 2018 City of Austin ballot.

### City of Austin Bond Package:

- [Proposition A](#) -- \$250 million for affordable housing;
- [Proposition B](#) -- \$128 million for libraries, museums, and cultural centers;
- [Proposition C](#) -- \$149 million for parks and recreation;
- [Proposition D](#) -- \$184 million for flood mitigation, open space, and water quality protection;
- [Proposition E](#) -- \$16 million for health and human services;
- [Proposition F](#) -- \$38 million for public safety; and
- [Proposition G](#) -- \$160 million for transportation infrastructure.

While Proposition A will not meet all of Austin's affordable housing needs, it is a substantial step in the right direction. We like that the affordable housing bond dollars will be divided between four existing City programs to assist both renters and homeowners.

Propositions B, C, and E will improve the quality of life for residents by supporting the arts, parks, and public health services.

Propositions D, F, and G address necessary infrastructure and environmental needs, or deferred maintenance to public facilities. If we continue to delay updating and maintaining our public works projects, we believe the cost will only increase.

Together, these bonds total nearly \$1 billion. While that is a lot of money, we feel the overall benefit to the City is worth the cost.

We encourage our members and supporters to vote in favor of these bond initiatives.

512.451.6710



# Exhibit 3

3/31/22, 10:20 AM

LeagueWomenVotersTX on Twitter: "Texans with disabilities fear new restrictions on voting help could mean criminal charges at t..."



Tweet



**LeagueWomenVotersTX**  
@LWVTexas

Texans with disabilities fear new restrictions on voting help could mean criminal charges at the polls  
[texastribune.org/2022/02/16/tex...](https://texastribune.org/2022/02/16/texas-with-disabilities-fear-new-restrictions-on-voting-help-could-mean-criminal-charges-at-the-polls/) via @TexasTribune  
#lwv @REVUP\_Texas

texastribune.org

Texans with disabilities fear new restrictions on voting help could m...  
Disability rights advocates say the state has not provided enough guidance about the type of help people with disabilities can and cannot receive under ne...

10:47 AM · Feb 16, 2022 · Twitter Web App

1 Like



### More Tweets

**Beto O'Rourke** @BetoORourke · 12h  
Governor candidate, TX  
That's Greg Abbott.



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### Relevant people

**LeagueWomenVotersTX**

@LWVTexas

Follow

The League's mission is empowering voters and defending democracy. Also, find nonpartisan election info at [@VOTE411](https://VOTE411)

**Texas Tribune**

@TexasTribune

Follow

A member-supported, nonprofit and nonpartisan newsroom informing & engaging Texans on state politics & policy. Subscribe: [trib.it/subscribe](https://trib.it/subscribe)

**REV UP Texas**

@REVUP\_Texas

Follow

Register! Educate! Vote! Use your Power! Our mission is to foster civic engagement and protect the voting rights of Americans with disabilities

### What's happening

War in Ukraine · LIVE

**Ukrainian government send buses to evacuate civilians from Mariupol after Russia agreed to open a humanitarian corridor**

**The Telegraph** · Yesterday

**How many jobs will be automated by 2040?**

**i newspaper** · 4 hours ago

**Why social media and screen time isn't as bad for children as parents fear**

News · LIVE

**It's International Transgender Day of Visibility**

Don't miss what's happening

People on Twitter are the first to know.

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[https://twitter.com/LWVTexas/status/1493975332008906750?s=20&utm\\_source=twitter\\_web&utm\\_medium=reply\\_thread](https://twitter.com/LWVTexas/status/1493975332008906750?s=20&utm_source=twitter_web&utm_medium=reply_thread)

OCA RESPONSE APP 043

1/6

OCAGH\_00014836

000112

3/31/22, 10:20 AM

LeagueWomenVotersTX on Twitter: "Texans with disabilities fear new restrictions on voting help could mean criminal charges at t..."



#



160 1,567 4,444

**Mike Collier** @CollierForTexas · 19h

Under Dan Patrick, Texans continue to pay more and more in property taxes so that massive corporations can pay less.

106 755 2,412

**Sarah Asch** @sarahradinasch · 22h

Staff at my apartment complex just told me with a straight face that they are raising my rent 30% so now I have to move, but the alternatives are also too expensive: An Austin story

141 241 1,949

**Beto O'Rourke** @BetoORourke · 13h

Governor candidate, TX

In 2011, Abbott fought families who were raising alarms about abuse in the foster care system.

In 2015, a judge said children "often age out of care more damaged"

In 2022, she declared "we're just going from bad to worse."

Today, she said she's lost confidence in the state.

**Texas Tribune** @TexasTribune · 17h

The judge overseeing the case to fix Texas' child welfare system is seeking a federal criminal investigation into allegations that children were sexually abused and trafficked at The Refuge, a state-licensed foster care shelter in Bastrop. [bit.ly/3IMN75S](https://bit.ly/3IMN75S)

47 624 1,749

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2/6

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000113

3/31/22, 10:20 AM

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3/6

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**000114**

3/31/22, 10:20 AM

LeagueWomenVotersTX on Twitter: "Texans with disabilities fear new restrictions on voting help could mean criminal charges at t..."



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4/6

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**000115**

3/31/22, 10:20 AM

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5/6

OCA RESPONSE APPX 047

OCAGH\_00014840

**000116**



3/31/22, 10:20 AM

LeagueWomenVotersTX on Twitter: "Texans with disabilities fear new restrictions on voting help could mean criminal charges at t..."



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6/6

OCA RESPONSE APPX 048

OCAGH\_00014841

000117

# Exhibit 4

---

**From:** Stephanie Swanson [sswanson@lwtexas.org]  
**Sent:** 2/15/2023 8:07:09 PM  
**To:** Andrew Hendrickson [ahendrickson@aclutx.org]  
**CC:** Ashley Harris [aharris@aclutx.org]; Joyce LeBombard [jlebombard@lwtexas.org]  
**Subject:** Re: An idea for legislation from our Elections Administrator

Hey Andrew and Ashley,

Could you share y'all's thoughts on how to fix this issue through legislation? Terry Meza filed this bill today:

<https://capitol.texas.gov/tlodocs/88R/billtext/pdf/HB02379I.pdf#navpanes=0>

That poor woman. This makes me so mad. Doesn't this violate the ADA?

Steph

On Wed, Feb 15, 2023 at 6:59 AM Andrew Hendrickson <[ahendrickson@aclutx.org](mailto:ahendrickson@aclutx.org)> wrote:

Hi Steph,

Is there a time today or tomorrow when we could set up a call with the Potter County EA? If we are going to get a fix to lege council by Friday, we'll need to move quickly, and I want a little clarity regarding the issue. As James mentioned on our SMERC call yesterday, an exception under 276.016 in SB 1 was described as a means of preventing this scenario. §276.016(a)(4) prohibits a public official from completing "any portion of an application to vote by mail and distribut(ing)" it to an applicant. However, §276.016(d) states that subsection (a)(4) "does not apply if the public official or election official engaged in the conduct... while lawfully assisting the applicant under §84.003," which lays out the procedures for assisting an applicant. I have a couple of thoughts about what could be happening here, and I want to ensure that we're all on the same page regarding why the SOS attorney believed the EA could be subject to criminal charges. Thanks!

Best,

Andrew

OCA-RESPONSE-APPX-050

OCAGH\_00018587  
**000119**

**From:** Stephanie Swanson <[sswanson@lwvtexas.org](mailto:sswanson@lwvtexas.org)>  
**Sent:** Sunday, February 12, 2023 8:05 PM  
**To:** Ashley Harris <[aharris@aclutx.org](mailto:aharris@aclutx.org)>; Joyce LeBombard <[jlebombard@lwvtexas.org](mailto:jlebombard@lwvtexas.org)>; Andrew Hendrickson <[ahendrickson@aclutx.org](mailto:ahendrickson@aclutx.org)>  
**Subject:** Fwd: An idea for legislation from our Elections Administrator

**Caution:** This is an external email and has a suspicious subject or content. Please take care when clicking links or opening attachments. When in doubt, contact your IT Department

CAUTION: This message is from an external sender. Please be cautious of links & attachments.

Privileged & Confidential

Hey Ashley and Andrew,

Can you take a look at the problem mentioned below?

I have a few questions:

- [REDACTED]
- [REDACTED]
- I have not seen any legislation filed that would fix this, have you?
- Is it too late for us to try to file something that would fix this? Andrew, is it too late to submit something to lege council for a draft?

Thanks for y'all's help!

Steph

----- Forwarded message -----

**From:** **SONYA LETSON** <[letsons@outlook.com](mailto:letsons@outlook.com)>  
**Date:** Sun, Feb 12, 2023 at 6:31 PM  
**Subject:** An idea for legislation from our Elections Administrator  
**To:** Stephanie Swanson <[sswanson@lwvtexas.org](mailto:sswanson@lwvtexas.org)>, Joyce LeBombard <[jlebombard@lwvtexas.org](mailto:jlebombard@lwvtexas.org)>, Dorothy Marchand <[dmarchand@lwvtexas.org](mailto:dmarchand@lwvtexas.org)>

OCA-RESPONSE-APPX-051

OCAGH\_00018588  
**000120**

This is from our EA in Potter County (Amarillo).

SL

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**From:** Election Administration - Melynn Huntley <[MelynnHuntley@co.potter.tx.us](mailto:MelynnHuntley@co.potter.tx.us)>  
**Sent:** Thursday, February 9, 2023 10:20 AM  
**To:** [letsons@outlook.com](mailto:letsons@outlook.com)  
**Cc:** [info@drtx.org](mailto:info@drtx.org)  
**Subject:** Idea for legislation

Sonya (LWV) and Disability Rights Texas,

After working with a voter yesterday and calling the Texas Secretary of State's legal folks, I would like to suggest a legislative change to TEC 276.016.

With applications for ballots by mail, our office cannot fill in the information for a voter when they request the ABBM. This is a problem for voters with disabilities as illustrated by our call yesterday.

- We received a phone call last week from a voter who requested the application. Our office mailed the ABBM to her.
- She called yesterday and stated that her eyesight has gotten so bad, she could not read the application and fill it out.
- Her daughter, who normally assists her, was unavailable due to a medical situation.

Our office helped this voter by contacting a member of our local League of Women Voters who agreed to go by the voter's home and assist her. HOWEVER, I called the legal department at the SOS to see if there is an exception under ADA that would allow us to fill in the information for voters who cannot complete an application on their own.

The SOS said that I could be charged with a crime and be subject to a State Jail Felony for assisting a voter by completing the information for her, even if the voter is disabled. The person I was talking with said that nothing in TEC 276.016 allows me to help, even in an ADA situation. He did say it might be a good defense, but I could still be charged.

The SOS person said that I raised a good point and suggested that I contact those who might be putting forth legislative suggestions. So I am contacting you. If the LWV or DRTX are working on addressing the gaps, please address this gap.

Sincerely,

*Melynn Huntley*

Potter County Elections Administrator

806-379-2299

P.O. Box 9618

Amarillo, TX 79105-9618

# Exhibit 5

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**From:** Grace Chimene [gchimene@lwvtexas.org]  
**on behalf of** Grace Chimene <gchimene@lwvtexas.org> [gchimene@lwvtexas.org]  
**Sent:** 2/10/2022 4:31:33 PM  
**To:** Acacia Coronado [acoronado@ap.org]  
**Subject:** Some more information on voter assistance.  
**Attachments:** Voter Assistance Talking Points.docx

Some information on voter assistance.

--

Grace Chimene (she/her)  
President, League of Women Voters of Texas  
[gchimene@lwvtexas.org](mailto:gchimene@lwvtexas.org)  
[LWVTexas.org](http://LWVTexas.org) & [VOTE411.org](http://VOTE411.org)  
512-940-9948

*Empowering Voters. Defending Democracy*



### Voter Assistance Talking Points

SB 1 makes voting more onerous for voters who need assistance and makes assistants more vulnerable to criminal penalties.

- The assistant must complete **a form** stating: name and address, relationship to the voter, and whether the assistant received or accepted any form of compensation or other benefit from a candidate, campaign, or political committee. The form must be incorporated into the official carrier envelope if the voter is voting by mail.
- Then the assistant must sign **a lengthy oath** that among other things states that they understand that if assistance is provided to a voter who is not eligible for assistance, the voter's ballot may not be counted - putting the responsibility squarely on the assistant to discern if the voter is eligible to receive assistance. This provision will make people leery of assisting voters.

The new oath requires the assistant to affirm that:

- the voter represented that they are eligible to receive assistance;
  - the assistant will confine their assistance to reading or directing the voter to read the ballot and marking or directing the voter to mark the ballot;
  - the assistant did not pressure or coerce (Senate Bill 1 also adds the word "encourage") the voter into choosing the assistant; and
  - the assistant will not communicate information about how the voter voted to another person.
- Failing to sign the oath is a state jail felony with a few exceptions.
- Criminal penalties: SB1 makes it easier to prosecute those who pay or who are paid for depositing mail ballots or assisting voters while voting by mail, by **eliminating some of the elements prosecutors must prove**, while also raising the punishment for such offenses Sections 6.06 (amending Election Code Section 86.0105).
  - Also, the new law changes the current criminal prohibitions from ones that prohibit compensating another person for depositing a VBM ballot or assisting VBM voters as part of a performance-based compensation scheme. It would now be a **flat prohibition on compensating or even offering to compensate** another person for depositing a VBM ballot or assisting VBM voters, even if not part of a performance-based compensation scheme. These criminal prohibitions do not apply to one who is providing assistance and is "an attendant or caregiver previously known to the voter."

# Exhibit 6

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**From:** Jerrie Champlin [jbaralin@gvtc.com]  
**on behalf of** Jerrie Champlin <jbaralin@gvtc.com> [jbaralin@gvtc.com]  
**Sent:** 1/22/2022 10:26:36 AM  
**To:** gchimene [gchimene@lwtexas.org]  
**CC:** Laraine Henchal [laraine.henchal@gmail.com]  
**Subject:** question re: "assistance" in filling out ABBM

Thanks for all that you're doing! I shared all the information, clarification and links re: the ABBM and voter registration forms with our Voter Services team which includes Joyce Doyle who also does VDR volunteer work for the local Democrats. We are planning on including a pre-addressed, stamped envelope with ABBM forms & the Tips one-pager we provide at our LWV GOTV events and Joyce asked the question below. IMO providing a pre-addressed, stamped envelope is not the same as helping someone complete the application or mailing for them. Does LWVTX have any guidance/opinion on this specific question?

Jerrie

Jerrie Champlin  
 President, LWV-Comal Area  
[jbaralin@gvtc.com](mailto:jbaralin@gvtc.com)  
 830-643-4657

---

**From:** "Joyce Doyle" <joycedtx@gmail.com>  
**To:** "Jerrie Champlin" <jbaralin@gvtc.com>  
**Sent:** Friday, January 21, 2022 4:03:00 PM  
**Subject:** Re: information on VOTE411, new forms, new laws etc

Thank you for this great information. We will be doing some Voter Registration soon and of course offer help with ABBM both there and at Dem HQ. Are you sure that it's OK to give out envelopes and stamps? I saw this on the SOS website under instructions for :

1. "If someone helped you complete the application or mailed the application for you, that person must complete Section 11. [giving their name and address as an Assistant]
2. Affix postage.
  - a. If you printed the application you must place it in your own envelope and add postage."

It bothers me that he says "your own envelope." Maybe I'm being too suspicious and it just means they won't be supplying an envelope. It would be ridiculous if you couldn't give them an envelope and even a stamp. Did you address the envelope to the elections office?

I'll forward your information on to our VDRs. Thanks.  
 Joyce

# Exhibit 7

4/6/22, 1:14 PM

Texas Voting Information

English

VOTE

## TEXAS

## UPCOMING ELECTION DATES &amp; REGISTRATION DEADLINES

Some elections in this list are local and do not apply for all Texas voters. Please click the "View all" button below to view all election dates in your state.

NEXT ELECTION: MUNICIPAL

**Saturday, May  
7, 2022**

Uniform Election

[View details](#)

## Registration Deadlines

BY MAIL (POSTMARKED)  
Thursday, April 7, 2022

IN PERSON  
Thursday, April 7, 2022

**24  
MAY**

Tuesday, May 24, 2022

Runoff

[View details](#)

RUNOFF

**08  
NOV**

Tuesday, November 8, 2022

General Election

[View details](#)

GENERAL

## MORE RESOURCES



Find what's on your Ballot

[Learn more](#)

Find your Polling Place

[Learn more](#)

Register to vote in Texas

[Learn more](#)TEXAS VOTING  
INFORMATION

Select an option:

Provisions for Voters with Disabilities

If you are a voter with a disability:

You may vote by mail if you have a sickness or physical condition that prevents you from voting in person without needing personal assistance or injuring your health. Voters with disabilities may fill out an annual application to vote by mail.

You may apply with the county voter registrar for a permanent exemption for a photo ID.

Voters who are physically unable to enter the polling place may use curbside voting during early voting and on Election Day.

If you vote in person, the [notice of voting order](#) allows a voter with a disability and their helper to request to move ahead of other voters in line.

## Persons who assist voters

- Persons who assist voters with a Vote by Mail application, Vote by Mail ballot, or in-person ballot must provide their relationship to the voter and address, and for the Vote by Mail ballot and in-person ballot, the assistor must sign an oath and mark that they didn't receive compensation.
- Persons who drive 7 or more voters who qualify for curbside voting must sign a form.

If you are physically unable to mark your ballot, or cannot read the ballot, you are eligible for assistance. You may choose anyone as an assistant except your employer or an officer of your union, or an agent of either. The assistant must take an oath of assistance administered by an election official. The assistant may read the ballot to you and mark your ballot. If you do not choose your own assistant, two election officials (of different political parties in the General Election) may assist you. Poll watchers and inspectors can observe the assistance by election officials.

An interpreter may be used if you and the election official cannot speak the same language. The interpreter must be a registered voter of the county, must take the oath of assistance and may interpret for any number of voters.

All Texas counties must provide one direct electronic voting machine (DRE) at each polling place for use by voters with visual disabilities, so they may cast their ballot without assistance. These machines are equipped with headphones and a keypad.

To find out more about how you may receive support while voting, [click here](#).

For more information, you can utilize the [American Association of People With Disabilities \(AAPD\)](#) resource.

If you are a person with a disability and have questions about your voting rights, call Disability Rights Texas' Voting Hotline at 1-888-796-VOTE (8683)

4/6/22, 1:14 PM

Texas Voting Information

**PERSONALIZED VOTING INFORMATION**

See What's On Your Ballot

Check Your Voter Registration

Find Your Polling Place

Discover Upcoming Debates and Forum in Your Area

[Get Started](#)**VIEW UPCOMING  
DEBATES AND FORUMS IN YOUR AREA**[Find Events](#)**TEXAS DEPARTMENT OF STATE**

Secretary of State  
208 East 10th Street  
Thomas J. Rusk Bldg.  
Austin 78701

 [512-463-5650](tel:512-463-5650)
 [512-475-2761](tel:512-475-2761)
 [elections@sos.state.tx.us](mailto:elections@sos.state.tx.us)
 <http://www.sos.state.tx.us/elections/index.shtml>
**GET INVOLVED WITH  
LWV OF TEXAS**

LWV volunteers work year-round to register new voters, host community forums and debates, and provide voters with election information they need.

[Learn More](#)**ELECTION DAY PROBLEMS?**

Report an election problem by calling:

1-866-OUR-VOTE (866-687-8683)

1-888-VE-Y-VOTA (en Español)

1-888-API-VOTE (Asian multilingual assistance)

1-844-YALLA-US (Arabic)

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VOTE411 is committed to ensuring voters have the information they need to successfully participate in every election. Whether it's local, state or federal, every election is important to ensuring our laws and policies reflect the values and beliefs of our communities.

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# Exhibit 8

## Filed Separately Under Seal